

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY TIFT,

Defendant.

CASE NO. CR20-0168-JCC

ORDER

This matter comes before the Court on Defendant's motion to continue trial (Dkt. Nos. 241, 243).¹ Having thoroughly considered the briefing and finding oral argument unnecessary, the Court DENIES the motion for the reasons described herein.

Defendant was indicated in September 2020. He has proceeded *pro se* since December 2021. (Dkt. No. 37.) He moved to continue in December 2021 (*see* Dkt. No. 53), and the Government moved to continue in March 2022. (*See* Dkt. No. 84.) Both these requests were unopposed. Moving forward, however, the Government opposed Defendant's requests to continue in July 2022 (*see* Dkt. No. 117), October 2022 (*see* Dkt. No. 149), December 2022 (*see* Dkt. No. 159), April 2023 (*see* Dkt. No. 177), and May 2023. (*See* Dkt. No. 207.) The Court granted each of these requests to give *pro se* Defendant adequate time to prepare for trial. (Dkt.

¹ Defendant filed a "Supplement to replace and correct" his original motion. (Dkt. No. 243.) The Court considered both motions in its decision.

Nos. 56, 90, 126, 154, 164, 193, 224.)

At this juncture, however, Defendant's claim that he needs more time to "complete pre-trial preparation[.]" (Dkt. No. 241 at 6), represents a lack of diligence on his own part, given the seven continuances the Court has granted since Defendant elected to proceed *pro se*. Defendant's proffered reasons justifying an additional continuance merely reflect the typical demands required to take a case to trial (i.e., preparing pre-trial motions, responding to discovery requests, etc.) As the Defendant himself noted, "[t]he defendant has elected to represent himself. The defendant is experiencing all the same obstacles as any appointed counsel would have." (Dkt. No. 207 at 2.) Defendant has not presented any facts justifying a continuance beyond him simply being unprepared.²

Accordingly, the Court DENIES Defendant's motion to continue. (Dkt. Nos. 241, 243.) The trial will commence as scheduled.³

DATED this 21st day of August 2023.



John C. Coughenour
UNITED STATES DISTRICT JUDGE

² The Court reminds Defendant that in his last request, he "affirmatively state[ed] that if granted this continuance to the available August or September dates, Defendant WILL NOT petition the court for any more continuances as none will be necessary." (Dkt. No. 222 at 4.) While the Court is aware that emergency contingencies *can* occur, the Defendant's repeated appeals for more time to prepare, despite no change in circumstance, does not constitute a justifiable reason for further delay.

³ Also before the Court is Defendant's motion for reconsideration. (Dkt. No. 244.) As the Court noted in its previous order, "should additional issues require resolution prior to the start of trial, the Court will do so the morning of trial, on September 5, 2023, at 8:30 a.m." (Dkt. No. 239 at 3.) The issues presented by Defendant will be addressed at that time. As such, the Court STRIKES the motion. (Dkt. No. 244.)